

GREENVILLE POLICE DEPARTMENT POLICY AND PROCEDURES MANUAL		
<b>Chapter 71</b>	<b>Detainee Processing and Transportation</b>	
<b>Date Initially Effective:</b> 09/15/94	<b>By The Order Of:</b> <i>T.D. Sauls</i> <b>T.D. Sauls, Interim Chief of Police</b>	
<b>Date Revised:</b> 4/12/15	<b>Date Reissued:</b> 4/16/15	<b>Page 1 of 8</b>

### 71.1.1 TRANSPORT OPERATIONS

CALEA Standard: 70.1.1, 70.1.2

Greenville Police Department personnel shall perform detainee transport duties in a way that provides safety and security measures for the detainee, the transporting police officers, and the public. The purpose of this directive is to establish guidelines for Greenville Police Department personnel performing detainee transport duties, and for accountability and responsibility of detainees brought to Greenville Police facilities for testing or interviewing. The Greenville Police Department does not operate a temporary detention facility.

For the purposes of this directive, “detainee” means any prisoner, arrestee, or other individual in the custody of Greenville Police Department personnel.

#### Detainee Search

The transporting police officer shall be responsible for the safety and control of the transported detainee from the time the transporting police officer accepts custody of the detainee until the detainee is accepted into the custody of the Pitt County Detention Center or other appropriate authority.

The transporting police officer shall search the detainee prior to placing the detainee in any vehicle for transport. The transporting police officer should never assume that a detainee has been searched by someone else.

Strip search and/or body cavity searches are not routinely performed by the Greenville Police Department police officers prior to a typical detainee transport. However, this policy does not prohibit such searches if they should become necessary. See Greenville Police Department Policy and Procedures Manual, Chapter 1, Section 1.2.6.

#### Transport Vehicle Inspection and Search

It shall be the responsibility of the transporting officer to ensure that any vehicle used to transport a detainee is safe, appropriately equipped, and is free of weapons and contraband both before and after a transport. Officers should never assume that no opportunity has existed for the introduction of weapons, contraband, or any other items or conditions. At the beginning of each tour of duty, vehicles that *may* be used to transport detainees shall be inspected by the police officer operating the vehicle to verify that the vehicle is secure and properly equipped.

The vehicle shall be searched immediately prior to and immediately after the transport of the detainee to ensure that no contraband, weapons, or other items are present. Some latitude may be allowed where an officer has been in constant control of the vehicle following the pre-shift examination and the introduction of the detainee to the vehicle. However, once a detainee has been removed from the vehicle, a thorough search should be conducted as soon as practical, but in all cases, before the vehicle is reused to transport a detainee. This will ensure that no items have been left and will link any items found with the detainee last transported.

**71.1.2 DETAINEE SECURITY AND SAFETY DURING TRANSPORT**

CALEA Standard: 70.1.3, 70.1.4, 70.1.5, 70.4.1, 70.4.2, 71.4.1

**Seating of Detainees and Police Officers**

Under normal circumstances, no more than two (2) detainees should be transported in any Greenville Police Department vehicle at the same time unless the vehicle is one (1) designed for the mass transport of detainees. Detainees being transported should be seated in vehicles in a way that limits the opportunity for escape or attack as much as possible. While transporting detainees, police officers must be able to observe the detainees at all times. In the event the need may arise for mass transport, the Department's prisoner transport van (PTV) shall be used according to the guidelines outlined in Chapter 41.

Marked police vehicles assigned to routine patrol functions, except vehicles assigned to the Field Operations Supervisors and the Traffic Safety Unit will be equipped with shields or security cages as practical. In all marked patrol vehicles, the rear passenger windows and door mechanisms have been disconnected. Unmarked cars, generally, are not equipped with security cages or rear compartment modifications.

Police officers transporting detainees should make a reasonable effort to ensure that the detainee is in a normal, upright seated position during transport. Detainees should not be transported in a prone position. The following guidelines concerning placement of detainees in vehicles should be adhered to whenever possible:

- All detainees being transported in Greenville Police Department vehicles will wear a seatbelt unless a medical condition prevents them from doing so or in the case of violent, resisting detainees where it is not feasible.
- Detainees shall not be placed in the front right seat, except as noted below.
- All officers are encouraged to utilize vehicles equipped with a security cage for the transport of detainees.
- The number of detainees transported should be considered when determining the type and level of restraint to be used.
- When one (1) detainee is transported in a vehicle with a security cage, that detainee should be placed in the right rear seat, restrained, and in a seat belt.
- When two (2) detainees are transported by one (1) police officer, and the vehicle has a security cage, both detainees shall be placed in the rear seat, restrained, and in seatbelts.
- If two (2) police officers transport two (2) detainees, both detainees should be placed in rear seats, restrained and in seat belts.
- When transporting a detainee in a vehicle without a security cage, two (2) officers should be present during the transport unless otherwise approved by a supervisor. The assisting officer may sit in the front right or back left seat. However, the officer should be seated in such a position to ensure visual observation of the detainee.
- When transporting a detainee in a vehicle without a security cage and a second (2<sup>nd</sup>) officer is not available the detainee may be placed in the front right passenger seat or the right rear seat. The detainee shall be restrained and in a seatbelt for transport.

**Visual Observation of Detainees and Response to Detainee Needs**

When traveling short distances, such as from an arrest sight to a booking facility, the detainee shall remain within sight of the transporting police officer(s). Police officers should be aware of positional and mechanical asphyxia. Detainees should not be bound and prone or "hogtied". Detainees may become in need of medical attention and should be closely observed after restraining if the following signs are evident:

- Violent or combative nature
- Agitated behavior
- Abnormal strength
- Hallucinations
- Obvious alcohol or drug use
- Profuse sweating in the absence of physical exertion

If serious medical or emergency assistance for the detainee should become necessary during transport, the transporting officer shall offer assistance in accordance with the officer's training and shall call for medical assistance as necessary.

When a detainee transport assignment is of such duration that a meal break or rest stop is necessary, the location shall be chosen at random. The detainee shall not be allowed to participate in the selection process.

Under most circumstances, communication between a detainee and others should be prohibited while a detainee is in the transport vehicle and during transport. However, circumstances may arise in which the transporting officer, arresting officer, or investigating officer believe that such communication may be operationally beneficial. Therefore, the ability of, and the circumstances in which, a detainee may be allowed to communicate with others while in custody and being transported by a Greenville Police Officer is generally at the discretion of the transporting, arresting, or investigating officer. If those circumstances arise, the transporting officer shall prohibit physical contact or the potential for physical contact and keep all parties under observation. If the potential for physical contact exists, the officer should search the detainee and vehicle after that potential has been removed.

The primary duty of a police officer transporting a detainee is the safe delivery of the detainee. The police officer assigned to transport a detainee shall stop to render assistance or otherwise perform a law enforcement service only when the risk to a third party is both clear and grave and the risk to the detainee is minimal.

### **71.1.3 DETAINEE TRANSPORT, DELIVERY, AND DOCUMENTATION**

CALEA Standard: 70.1.6, 70.5.1

For any transport between facilities, the following procedures should be followed:

1. Prior to transporting a detainee to, or accepting custody of a detainee from, a detention facility, the Greenville Police Officer assigned to transport the detainee shall verify the detainee's identification through booking records, identification numbers, photographs, or other appropriate means.
2. The Greenville Police Department does not routinely transport detainees between detention facilities, except as part of an active criminal investigation. Greenville Police Department personnel transporting a detainee shall ensure that the appropriate documentation accompanies the detainee during transport. Depending upon the circumstances, virtually all documentation, or at least copies of that documentation, should accompany the detainee. This documentation may include:
  - a. Positive identification of the detainee, including photograph
  - b. Arrest information
  - c. Personal property information
  - d. Medical records
  - e. Any other pertinent records
3. Any information related to the detainee's escape/suicide potential, or other personal traits of a security nature must be documented and included in the transport documentation provided to the transporting officer.

When traveling out-of-town or state for the purpose of extraditing detainees, different jurisdictions require different documentation for the release of detainees. Police officers should coordinate all extradition through the District Attorney's Office and should ensure prior to embarking on an extradition that all necessary certified documents are obtained. All extraditions shall require the authorization of the Chief of Police. In the case of interstate transports, the transport officer should at least have documentation of:

- Properly executed, certified copies, governor's warrant or waiver of extradition when appropriate
- Copies of receipts for the detainee and property
- Appropriate custody order or release order

### **Notification of Special Risks or Requirements**

If there is a potential security risk or other risk requirement regarding a detainee being transported by the Greenville Police Department, the transporting officer should provide to the personnel assuming custody of the detainee information about the risk. Special circumstances may include:

- Potential risk of escape
- Suicidal or violent tendencies
- Particular personality traits
- Illness or medical condition

### **Procedures for Officers upon Arrival at Destination**

When transporting detainees to a detention facility or institution, Greenville Police Department personnel shall adhere to the policies and procedures of the receiving facility.

Prior to entering secure areas, police officers will store their weapons in lockers or other secured areas according to the procedures of the receiving facility. If the facility does not provide secured storage for weapons, Greenville Police officers should utilize the trunk of their police vehicles to store their weapons prior to entering secure areas.

Restraints should be removed from detainees in accordance with the established procedures of the receiving facility or otherwise at the direction of the individual accepting custody of the detainee. Police officers should be prepared to assist the individual accepting custody of the detainee after the restraints have been removed in case the detainee becomes violent. The police officer should provide assistance to the receiving facility to secure the detainee as necessary. Police officers shall report to the receiving agency's personnel, any information relating to the detainee's risk of escape or other personal traits of a security nature as well as suicide potential or medical concerns. Police officers shall document such notification in the narrative portion of the arrest report. Transfer of custody to a detention facility, including date and time, committing magistrate, and place confined shall be documented on the appropriate arrest report in the spaces designated.

### **71.1.4 ESCAPE OF DETAINEES BEING TRANSPORTED**

CALEA Standard: 70.1.7, 71.1.7

If a detainee escapes custody while being transported by a Greenville police officer, the following guidelines shall apply:

- Immediate notification of the Greenville Police Department Communications Center by radio or telephone with a description
- Immediate notification of the local law enforcement agency in the jurisdiction where the escape occurred, if outside the City of Greenville
- Immediate notification of the on-duty Watch Commander or supervisor
- Immediate notification to the Chief of Police

Reports to be prepared include:

- Greenville Police Department Incident Report (escape from custody), to be prepared by the Officer assigned to conduct the transport
- Memorandum to the Chief of Police through the chain of command from the police officer's immediate supervisor providing details of the incident
- Any other reports as directed by the Chief of Police, Bureau Commander, or appropriate supervisor

Further actions to be taken include:

- Notification of surrounding jurisdictions by the Communications Center
- Coordination of the search effort by the appropriate Greenville Police Department supervisor
- Notification as to whether the detainee is known to be armed or considered dangerous
- Activation of the Emergency Response Team at the discretion of the Chief of Police

### **71.2.1 DETAINEE RESTRAINTS**

CALEA Standard: 70.2.1, 70.3.1

#### **Restraint of Detainees during Transport**

While transporting detainees, Greenville Police Department personnel shall take the precautions necessary to protect the lives and safety of the transporting officers, public, and the individual in custody.

Under normal circumstances, all detainees shall be handcuffed behind their backs, with the handcuffs double locked, unless there are specific reasons for other action. Care should be exercised in applying handcuffs to avoid unnecessary injury to the detainee. There may be some instances where it is appropriate to handcuff a detainee in front of his body or not to handcuff at all. However, these instances are rare and such action should be justified by each officer. Investigating officers shall search the prisoner/detainee prior to interviews and are encouraged to use the fixed eyebolt in the interview room to assist in securing a prisoner/detainee. At no time shall a Greenville Police Officer leave a secured detainee unobserved in an interview room or any other area during interviews or interrogations.

Under no circumstances shall a detainee be transported with hand and foot restraints connected together behind the detainee's body (hog-tied). When feasible, two (2) police officers should transport violent or combative detainees. One (1) police officer should observe the detainee at all times.

Leg irons should be used on detainees brought into the Greenville Police Department headquarters when the officer feels that the detainee poses a threat of escape or violence. When the occasion arises to transport a detainee who poses a threat of escape or is going to be transported over an extended period of time, leg irons should be considered and a decision based upon the circumstances.

#### **Use of Restraints on Handicapped Detainees**

Police officers should use discretion when determining the level of restraint to be used when transporting handicapped detainees. A police officer assigned to transport a handicapped detainee shall restrain the detainee to the degree the officer deems necessary to protect the lives, safety, and security of the transporting officer, the public, and the individual in custody. If a police officer is unsure of the level of restraint to use when transporting a handicapped detainee, the police officer should contact a supervisor for guidance.

#### **Use of Restraints on Sick or Injured Detainees**

Police officers should use discretion when determining the level of restraint to be used when transporting sick or injured detainees. A police officer assigned to transport a sick or injured detainee shall restrain the detainee to the degree the officer deems necessary to protect the lives, safety, and security of the transporting officer, the public, and the individual in custody. If a police officer is unsure of the level of restraint to use when transporting a sick or injured detainee, the police officer should contact a supervisor for guidance.

#### **Use of Restraints on Mentally Disturbed Detainees**

The transport of mentally disturbed individuals may require the use of restraints other than, or in addition to, handcuffs. Restraints used in these situations should restrain the individual securely without causing injury. If special restraints are required to transport a mentally disturbed detainee, a supervisor should coordinate with the Pitt County Detention Center or other facility to obtain use of the appropriate restraints.

### **71.3.1 DETAINEE TRANSPORT CONDITIONS (SOP 71-3-1)**

CALEA Standard: 70.1.8, 70.3.2, 70.3.3

#### **Transporting Detainees to Court or another Agency**

When an individual considered to be a high or unusual security risk is transported to any court or other agency by Greenville Police Department personnel, the police officer(s) assigned to transport the individual shall:

- Notify the agency or presiding judge of the circumstances

- Request that the judge or agency order or approve additional safeguards such as the use of restraints in the courtroom or the use of additional security personnel.

#### **Transporting Detainees of the Opposite Sex**

When a police officer is required to transport an arrestee or detainee of the opposite sex within the Greenville Police Department's jurisdiction or immediate area, the police officer shall:

- Upon beginning the transport, advise the Communications Center that an arrestee of the opposite sex is being transported, the starting location, odometer mileage, and destination.
- Upon the conclusion of the transport, advise the Communication Center that the transport has ended and provide the location and odometer mileage.

When transporting a detainee over a long distance, at least one (1) police officer or other appropriate escort shall be of the same sex as the detainee. When during a long distance transport a detainee must use the toilet facilities, the transport officer(s) shall take whatever precautions deemed necessary to ensure the security of the detainee.

#### **Transporting Handicapped Detainees**

When a detainee requires special care and attention to accommodate a physical or mental disability during transport, the police officer assigned to transport the detainee, or a Greenville Police Department supervisor, shall arrange for any required special equipment or special vehicles needed to transport in a safe and secure manner. Special vehicles, such as an ambulance, shall be used when safe transportation cannot be accomplished in a Greenville Police Department vehicle. Medication and mechanical aids shall be kept in the control of the police officer assigned to transport the detainee.

#### **Transporting Sick or Injured Detainees**

Greenville Police Department personnel shall seek immediate medical attention for individuals in their custody who become sick, are injured while in custody, or are injured while being taken into custody.

Pursuant to North Carolina General Statute 15A-503(a), whenever a law enforcement officer arrests a person who is unconscious, semiconscious, or otherwise apparently suffering from some disabling condition, and is unable to provide information on the causes of the condition, the officer should make a reasonable effort to determine if the individual is wearing a medical alert necklace or bracelet indicating that the individual suffers from diabetes, epilepsy, a cardiac condition, or any other form of illness that would cause a loss of consciousness. Regardless of the presence of a medic alert symbol, the officer must make a reasonable effort to have appropriate medical care provided.

#### **Security and Control of Detainees at Medical Facilities**

When a detainee in the custody of the Greenville Police Department is taken to a hospital or other medical facility, the following procedures shall apply:

- The police officer assigned to escort the detainee shall request that the detainee be isolated from other patients.
- The police officer assigned to escort the detainee shall ensure that the detainee is not left alone, or otherwise unobserved.
- Restraints shall be removed only when necessary or when requested by the medical staff.
- If the detainee is admitted to the hospital, the police officer shall notify his supervisor who shall arrange for temporary security (first twenty-four (24) hours) and will notify the appropriate Bureau Commander so that plans for extended security can be made

#### **Transporting Detainees in Special Situations**

Under normal circumstances Greenville Police Department personnel do not provide detainee transportation for any reason not directly related to a legitimate law enforcement activity, except as directed by a court or authorized by the Chief of Police. When such transports are authorized, the following procedures shall apply:

- The police officer assigned to escort the detainee shall search the detainee prior to placing the detainee in the transport vehicle.
- The transporting police officer shall use handcuffs and leg restraints unless the detainee is of such a condition (such as elderly, obese, or handicapped) that restraints would be impractical.
- The detainee shall remain within sight of the transporting police officer(s) until the transport is complete.
- Transporting officers shall comply with all normal policies and procedures regarding transporting, guarding, communications, and the release of detainees during special transport situations.

Unless transporting a detainee or suspect for interview or involved in the delivery or pick up of heavy items to the police department, no police vehicle will be parked in the parking lot outside the Sally Port, *regardless* of the duration anticipated by the employee.

#### **71.4.1 TEMPORARY DETENTION**

CALEA Standard: 71.1.1, 71.2.1, 71.4.1, 71.4.2, 71.4.3, 71.5.1

##### **Temporary Detainees**

The Greenville Police Department does not operate a temporary holding facility. The purpose of this general order is to establish procedures for the supervision, accountability, safety, and security of temporary detainees brought to the Police Department for interviewing and/or testing of detainees. The transporting officer is responsible for the safety and security of persons brought to the Police Department until relieved by another officer assuming responsibility for the individual.

All detainees brought to the Greenville Police Department for testing or interviewing shall be under the continuous control or supervision of the transporting officer or an officer assigned to guard or process detainees. At no time will any detainee be left unobserved. Because detainees are not held at the police department and are only transported here for interviewing, or in rare circumstance, for a Voice Stress Analysis or Polygraph, there is no formal documentation in logging the detainee's time here or reason for being in the building. Supervision shall require that sworn Department personnel be assigned to maintain visual contact with the detainee at all times

If at any time the transporting officer or officer assigned to guard a detainee must leave the detainee's presence, another officer shall be required to maintain visual contact with the detainee until the previous officer has returned. If an officer at the Department is not available to remain with the detainee, an officer shall be called into the station to remain with the detainee. It shall be the responsibility of the officer assigned to guard the detainee to secure a replacement officer to remain with the detainee as a guarding officer before the former guarding officer leaves the presence of his/her detainee.

Detainees are not to be handcuffed to any fixed object unless the object is designed or intended for that use. Juvenile detainees who are combative or who display behavior that warrants a greater level of security may be handcuffed to an authorized fixed object. Officers are to ensure that male and females are detained separately. Likewise, adults and juveniles shall be detained separately.

##### **Testing/Interview Areas**

###### **Designated Interview Rooms**

- Interview/Interrogation Room – Located on the second floor of the police department, these rooms are equipped with a table, chairs, camera system and a fixed eyelet bolt for the security of detainees during interviews/interrogations.
- Interview/Voice Stress Analysis Room/Polygraph – Located on the second floor of the police department, this room has insulated walls to aid in the use of the VSA/polygraph equipment, a table, chairs, a camera system and may be used for interviews or interrogations.
- Roll Call/Briefing Room – Located on the first floor of the police department, this room is often used by patrol officers when interviewing victims or witnesses in the preliminary reporting stage of an

investigation. The roll call/briefing room should not be used to interview detainees or suspects unless all other approved areas are unavailable.

The officer responsible for the detainee will ensure that the subject is provided access to water, restrooms, and other basic needs in a timely manner.

In the event of a fire, officers will remove the detainee from the area following established evacuation procedures. A fire evacuation route is posted on each floor of the Greenville Police Department. It is the officer's responsibility to maintain control of detainees in the event of an evacuation of the building.

Inspection of the interview rooms is conducted as part of the facility inspection completed by the Logistics Commander. A staff inspection of the Investigations Bureau is conducted triennially as outlined in Chapter 53 and includes inspection of all physical areas of the building utilized by the Investigations Bureau. Policy and procedures review is covered during the annual policy review completed by the Office of Strategic Services.

### **Security**

When transporting a detainee to the police department for interviewing the arresting officer may use the Sally Port area, if available. The lock box located in the Sally Port is available, if needed, to secure an officer's weapon. It is not necessary to secure weapons when detainees are taken to other areas in the building, but caution should be exercised at all times.

Officers will complete a security search of the room for contraband or weapons prior to placing the individual in the room. All detainees will be thoroughly searched for weapons, contraband, and evidence prior to being placed in the room. After removing the detainee from the room officers will conduct another search of the room. The officer responsible for the detainee will limit and control access to the room occupied by the detainee. Non-uniformed investigating officers may use their two-way radio, panic alarm, or cell phone to call for assistance if needed.

If a detainee escapes from custody officers should follow the same guidelines as outlined in Policy 71.1.4.